# APPENDIX F.

[*See* Preface.]

*Extracts from Sections 55, 243, 254, 255 and 265 of the Government of India Act, 1935.*

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**55.** (1) The Governor of each Province shall appoint a person, being a person qualified to be appointed a Judge of a High Court, to be Advocate-General for the Province.

Advocate-General for Province.

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(3) The Advocate-General shall hold office during the pleasure of the Governor, and shall receive such remuneration as the Governor may determine.

(4) In exercising his powers with respect to the appointment and dismissal of the Advocate-General and with respect to the determination of his remuneration, the Governor shall exercise his individual judgment.

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**243.** Notwithstanding anything in the foregoing provisions of this chapter, the conditions of service of the subordinate ranks of the various police forces in India shall be such as may be determined by or under the Acts relating to those forces respectively.

Special provisions as to police.

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**254.** (1) Appointments of persons to be, and the posting and promotion of, district judges in any Province shall be made by the Governor of the Province, exercising his individual judgment, and the High Court shall be consulted before a recommendation as to the making of any such appointment is submitted to the Governor.

District judges, etc.

(2) A person not already in the service of His Majesty shall only be eligible to be appointed a district judge if he has been for not less than five years a barrister, a member of the Faculty of Advocates in Scotland, or a pleader and is recommended by the High Court for appointment.

(3) In this and the next succeeding section the expression "district judge" includes additional district judge, joint district judge, assistant district judge, chief judge of a small cause court, chief presidency magistrate, sessions judge, additional sessions judge and assistant sessions judge.

Subordinate civil judicial service.

**255.** (1) The Governor of each Province shall, after consultation with the Provincial Public Service Commission and with the High Court, make rules defining the standard of qualifications to be attained by persons desirous of entering the subordinate civil judicial service of a Province.

In this section, the expression "subordinate civil judicial service" means a service consisting exclusively of persons intended to fill civil judicial posts inferior to the post of district judge.

(2) The Provincial Public Service Commission for each Province, after holding such examinations, if any, as the Governor may think necessary, shall from time to time out of the candidates for appointment to the subordinate civil judicial service of the Province make a list or lists of the persons whom they consider fit for appointment to that service and appointments to that service shall be made by the Governor from the persons included in the list or lists in accordance with such regulations as may from time to time be made by him as to the number of persons in the said service who are to belong to the different communities in the Province.

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Composition and staff of the Public Service Commission.

**265.** (1) The chairman and other members of a Public Service Commission shall be appointed, .....in the case of a Provincial Commission, by the Governor of the Province in his discretion:

Provided that at least one-half of the members of every Public Service Commission shall be persons who at the dates of their respective appointments have held office for at least ten years under the Crown in India.

(2).....in the case of a Provincial Commission, the Governor of the Province in his discretion, may by regulations—

(*a*) determine the number of members of the Commission, their tenure of office and their conditions of service; and

(*b*) make provision with respect to the numbers of staff of the Commission and their conditions of service.

(3) On ceasing to hold office—

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(*b*) the Chairman of a Provincial Commission shall be eligible for appointment as the Chairman or a member of the Federal Commission or as the Chairman of another Provincial Commission but not for any other employment under the Crown in India;

(*c*) no other member of.....any Provincial Commission shall be eligible for any other appointment under the Crown in India without the approval, in the case of an appointment in connection with the affairs of a Province, of the Governor of the Province in his discretion.